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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/116,785	07/16/1998	ROBERT G. HARRISON	4166-COM	2952

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EXAMINER

BUI, KIEU OANH T

ART UNIT PAPER NUMBER

2611

DATE MAILED: 03/14/2002

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten signature

**Office Action Summary**

Application No.

09/116,785

Applicant(s)

HARRISON ET AL.

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8. 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

2. Claims 1, 12, 14 and 15 recites the limitation "The combination of" in the preamble of each of the claim. There is insufficient antecedent basis for this limitation in the claim. It should be "A system which comprises of" instead.

***Claim Objections***

3. Claim 1 is also objected to because of the following informalities: "a facility physically removed from the appliance" makes no sense at all. It should be "a facility physically remote from the appliance" instead. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

*(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.*

5. Claims 1-6, and 9-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Jeon et al. (U.S. Patent No. 5,822,012).

Regarding claim 1, in further view of the Rejection 112-2nd (and to the best understood from the Examiner), Jeon et al (or “Jeon” hereinafter) discloses a (system which comprises) combination of: an appliance, i.e., home appliances such as an air conditioner, a boiler or exterior lights are addressed (col. 2/lines 60-63); means for monitoring the performance of appliance; and means for transmitting data indicative of the status of appliance from monitoring means to a facility physically *remote* from the appliance and the appliance monitoring means, i.e., a sensing input 60 may periodically, continuously or selectively monitors the statuses of the sensing device 90 for statuses of home appliances around the home or from remote commands supplied from a remote location away from the appliance and the monitoring device and/or from a facility such as an business office (col. 2/lines 49-67 and col. 3/lines 1-12).

As for claim 2, in further view of claim 1 above, Jeon further discloses “in which the means for monitoring said appliance comprises: a data processing and storage means”, i.e., an MPU 70 acts as a data processing means and a memory 40 for storage means (Fig. 1/items 70 & 40, respectively); and “ means for transmitting data from said appliance to said data processing and storage means”, i.e., sensor input 60 collects data from monitoring or sensing device 90 and transmits (monitored) data from the appliance to the MPU 70 and memory 40 (col. 2/lines 49-67 and col. 3/lines 25-65).

As for claim 3, in further view of claim 2 above, Jeon further teaches “in which the means for transmitting data from said appliance to said data processing and storage means comprises a modem and means connecting said modem to a power line servicing said appliance”, i.e., a modem is used for remotely controlling the home appliance from a location away from home (col. 3/lines 1-23).

As for claim 4, in further view of claim 1 above, Jeon further discloses “in which the means for transmitting information from said data processing and storage means to said facility comprises a phone modem”, i.e., a phone modem is included therein for connecting to a public service telephone network or PSTN line (Fig. 1/item 50, and col. 3/line 65 to col. 4/line 11).

As for claim 5, in further view of claim 1 above, Jeon further discloses “in which the means for monitoring the appliance comprises an integrated unit with multiple user-selectable modes of operation”, a controller 80 acts as an integrated unit for multiple user-selectable mode of operation since the user can selectively control multiple appliances with that unit alone (see col. 4/lines 12-25).

As for claim 6, in further view of claim 5 above, Jeon further teaches “in which one of said user-selectable modes is a DIAGNOSTIC mode, said integrated unit having the capability with said unit operating in the DIAGNOSTIC mode of displaying a message reporting the status of said appliance”, i.e., the status of (problem, if any) appliances are displayed to the user either in a picture-in-picture format, in a split screen format or in an entire screen format as any problem occurs in the form of diagnostic solving (see col. 3/lines 34-50).

As for claim 9, in further view of claim 5 above, Jeon shows “in which said integrated unit comprises a television with a screen; said combination comprising a user-actuatable means for selecting operation of said system in a television viewing mode”, i.e., a display 30 is a television screen (Fig. 1/item 30 and col. 1/lines 25-41) and the user can select to view the television viewing mode as he/she normally does (see col. 3/lines 25-33).

As for claim 10, in further view of claim 5 above, Jeon further discloses “which comprises a remote control for selecting an operating mode of said integrated unit, said remote control having a separate, dedicated control for selecting each operating mode of said appliance”, i.e., an input device 110 is used or a remote control (not shown, col. 3/lines 50-65) for remotely controlling the operation of the integrated unit (Fig. 1/item 110, and col. 2/lines 58-67).

As for claim 11, Jeon further discloses “in which said integrated unit is so constructed that, when operation of said unit is switched from one of said modes to a different mode, operation of said integrated unit in said one mode will resume at the point where operation of the integrated unit in said one mode was interrupted” because the statuses from the appliances around the home are displaying on the screen by the input commands from the user; therefore, while he is watching a television program, he can check the status of a certain appliance, and then he can go back to the program he is watching on (col. 3/lines 50-65).

Regarding claims 12 and 14, in further view of the Rejection 112-2nd (and to the best understood from the Examiner), Jeon et al (or “Jeon” hereinafter) discloses a (system which comprises) a combination of: an appliance, i.e., home appliances such as an air conditioner, a boiler or exterior lights are addressed (col. 2/lines 60-63); and an integrated unit for monitoring said appliance, said integrated unit comprising a screen; said integrated unit having an operating system with the capability of powering up said integrated unit to display a message on said screen if a fault arises in said appliance, i.e., a sensing input 60 may periodically, continuously or selectively monitors the statuses of the sensing device 90 for statuses of home appliances around the home or from remote commands supplied from a remote location away from the appliance and the monitoring device and the process of power up the system by the use of a phone modem (col. 2/lines 49-67 and col. 3/lines 1-12).

As for claim 13, Jeon further teaches “a system which comprises: means for monitoring the performance of an appliance; and means operable if a fault in the operation of said system occurs for communicating the existence and nature of said fault to a service or repair facility remote from said appliance”, i.e., abnormal situation occurs, and the monitoring system will report the situation to a facility such as a fire department remote from the appliance for curing the fire, if any, for fixing the problem (col. 3/lines 1-12).

Regarding claims 15-16, these claims for “an appliance; and a unit for monitoring the performance of the said appliance; said appliance comprising a sensor for monitoring a parameter indicative of the performance of the said appliance; and said combination for the comprising: means for sampling the data available from said sensor at periodic intervals means for transmitting said data to said monitoring unit; means for storing said data in memory in said monitoring unit; and means for comparing the stored data with reference data and thus identifying the nature of the problem if said appliance fails” are rejected for the reasons given in the scope of claims 1-6 and 9-11 as already disclosed in details above.

Regarding claims 17-19, these claims for “a system which comprises: a supervisory unit; and means for transmitting to said supervisory unit information on an appliance associated with said unit; said supervisory unit comprising a screen and an operating system for displaying on said screen a message reflecting the status of said appliance”, with a microprocessing unit MPU 70 acts as a supervisory unit for processing collecting data from sensor input 60 (Fig. 1/item 70), are rejected for the reasons given in the scope of claims 1-6 and 9-11 as already disclosed in details above.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

7. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeon et al. (U.S. Patent No. 5,822,012) in view of Allport (U.S. Patent No. 6,097,441).

Regarding claim 7, in further view of claim 5 above, Jeon does not further disclose “in which: said integrated unit comprises a module comprising a player for a disc with laser readable data stored thereon; said integrated unit being operative in one of said multiple modes of operation to read data from said disc and communicate the retrieved data to a person using said integrated unit” as claimed; however, in the same field of endeavor, Allport teaches an exact same technique of including a player for a disc with laser readable data stored therein (either a laser disc or a DVD player) within a monitoring system for home appliances as well (see Fig. 3, and col. 5/lines 5-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Jeon’s remote monitoring system of home appliances with Allport’s teaching technique of further including a laser disc player to the mentioned integrated unit in order for the user to browse video, audio, and other recordings to select a desired title for playing as suggested by Allport.

As for claim 8, in further view of claims 5 and 7 above, Allport further discloses “in which said integrated unit has a screen and an INTERNET mode of operation in which a user-actuatable means is available to establish a connection to the Internet, said integrated unit having means thereafter displaying information obtained from an Internet site on said screen”, i.e., television or cable television and Internet related data are incorporated for displaying on the display screen as desired (col. 4/lines 33-60).



***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Ghori (US Patent 6,282,714) discloses a digital wireless home computer system.

Voltz et al. (US Patent 6,166,772) disclose method and apparatus for display interlaced images on non-interlaced display.

Allport (US Patent 6,104,334) discloses a portable Internet enabled controller and information browser for consumer devices.

Williams et al. (US Patent 5,945,988) disclose method and apparatus for automatically determining and updating user preferences in an entertainment system.

Kuroiwa et al (US Patent 5,619,251) discloses two-way cable TV system and remote control system for home appliances.

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**Any response to this action should be mailed to:**  
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Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park IV, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

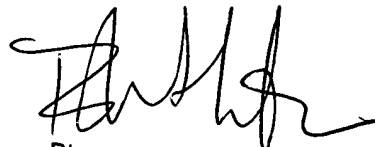
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Art Unit: 2611

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui  
Art Unit 2611  
February 28, 2002



Bhavesh Mehta  
Primary Examiner